

REMARKS

This is in response to the Office Action mailed on August 22, 2006. Claims 17-40 were pending in that action. All claims were rejected. With the present response, claim 17 is amended, claims 18-40 are cancelled and new claims 41-53 are added. Consideration and allowance of all pending claims, namely claims 17 and 41-53, are respectfully requested in light of the following.

On page 2 of the Office Action, the Examiner rejected claim 17 under 35 U.S.C. §112. With present response, claim 17 has been amended. It is respectfully submitted that claim 17, in its amended form, is in compliance with the standards of §112.

On page 3 of the Office Action, the Examiner rejected claims 17, 19-23, 25, 26, 28, 30, 32, 34 and 35 based on the judicially created doctrine of non-statutory double patenting. It is respectfully submitted that, as amended, the currently pending claims are patentably distinguishable from the claims of the reference upon which the provisional double patent rejection is based. The claims associated with the cited 10/674,834 application pertain to creating new labels. In contrast, the claims of the present application pertain to maintaining a term database. Reconsideration and withdrawal of the double patenting rejection are respectfully requested.


On page 4 of the Office Action, the Examiner rejected claims 17-21 and 25-32 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent App. No. 2004/003998 ("the Warren reference") in view of U.S. Patent App. No. 2005/0038558 ("the Keene reference"). On page 7 of the Office Action, the Examiner rejected claims 22-24 under 35 U.S.C. §103 as being obvious in view of the Warren reference, the Keene reference, and further in view of U.S. Patent App. No. 2002/0156775 (the "Yamamoto reference"). On page 8 of the Office Action, the Examiner rejected claims 33-40 under 35 U.S.C. §103 as being obvious in view of the Warren reference, the Keene reference, and further in view of U.S. Patent App. No. 2004/0260689 (the "Colace reference").

Of the pending claims, claims 17 is independent and the remaining claims are dependent thereon. Claim 17 recites a method of maintaining a term database. The method includes searching a term database for a term associated with a text that corresponds to a proposed text for a new label. Out put is provided as an indication of the term. As claimed, the output includes the text and at least one related characteristic. An input is received and indicates a preference for the proposed text over the term. Finally, a suggestion is made that a new term be added to the term database, the new term being indicative of the proposed text.

The cited references, considered independently or in combination, fail to teach or suggest any method that involves suggesting that a new term be added to a term database, let alone a method wherein the new term corresponds to proposed text for a new label. It is respectfully submitted that claim 17, as well as dependent claims 41-53 are in allowable form at least for this reason. Consideration and favorable action are respectfully solicited. The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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